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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Thirteenth session

SUMMARY RECORD OF THE 257th MEETING

Held at Headquarters, New York,
on Friday, 4 February 1994 at 10 a.m.

Chairperson: Ms. CORTI

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The meeting was called to order at 10.25 a.m.

ADOPTION OF THE REPORT OF THE COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN ON ITS THIRTEENTH SESSION

1. The CHAIRPERSON said that members would need some time to review the reports of Working Groups II and III, since they had only recently been issued.

2. The meeting was suspended at 10.30 a.m. and resumed at 10.50 a.m.

Report of Working Group II (CEDAW/C/1994/WG.II/WP.4)

3. Ms. GARCIA-PRINCE introduced the report, and pointed out that the names of the members of the Working Group should be included.

Paragraphs 1 to 7.2

4. Paragraphs 1 to 7.2 were adopted.

Paragraph 7.3

5. Ms. CARTWRIGHT proposed the addition of a sentence to paragraph 7.3, reading, "Conversely, some countries which have not entered reservations continue to permit practices which contravene particular provisions of the Convention."

6. Ms. SCHÖPP-SCHILLING said that article 2 should also be mentioned in the third sentence of the paragraph.

7. Ms. BUSTELO said that while she could support the proposed changes, it might be preferable to leave blank both the number of ratifications and the articles on which reservations had been entered to request the secretariat to redraft the paragraph after verifying the content.

8. The CHAIRPERSON said that it was her understanding that most reservations had in fact been entered in connection with articles 2 and 16.

9. Ms. SINEGIORGIS questioned the need to refer to article 29. It would be preferable to focus on articles 2 and 16.

10. Ms. CARTWRIGHT proposed that the third sentence of the paragraph should be amended to read: "Reservations entered to articles 2 and 16 are of particular concern".

11. Ms. KHAN said that when there were 130 ratifications, 18 reservations had been entered to article 16, and 7 to article 2.

12. Ms. BUSTELO said that it might be preferable to accept the amendment proposed by Ms. Cartwright without mentioning specific articles, and to indicate simply that countries were still entering reservations.

13. Ms. AOUIJ said that since articles 2 and 16 were of such central importance to the status of women, the reference to them should be retained.

14. Ms. BUSTELO said that the Committee's concern over reservations could be reflected in paragraph 10.3 of the report.

15. The CHAIRPERSON said that the final wording of paragraph 7.3, as orally amended, read: "The Convention has been ratified by 131 countries. Many of those countries have entered reservations. Reservations entered to articles 2 and 16 are of particular concern. Conversely, some countries which have not entered reservations continue to permit practices which contravene particular provisions of the Convention."

16. Paragraph 7.3, as orally amended, was adopted.

Paragraph 7.4

17. Paragraph 7.4 was adopted.

Paragraph 7.5

18. Mr. MATHIASON (Deputy Director, Division for the Advancement of Women) said that the word "compendium" should be replaced by "report".

19. Paragraph 7.5, as orally amended, was adopted.

Paragraph 8

20. Paragraph 8 was adopted.

Paragraphs 9 to 9.2.2

21. Paragraphs 9 to 9.2.2 were adopted.

Paragraph 9.2.3

22. Ms. TREBILCOCK (International Labour Organization) proposed the addition after the words "some of the articles" in the third subparagraph of the phrase "and by the ILO representative to make technical contributions to areas relevant to the fields of competence of ILO".

23. Paragraph 9.2.3, as orally amended, was adopted.

Paragraph 10

24. Ms. CARTWRIGHT proposed that the words "take into account" in line one of paragraph 10 should be replaced by the words "include a reference to".

25. Paragraph 10, as orally amended, was adopted.

Paragraphs 10.1 and 10.2

26. Paragraphs 10.1 and 10.2 were adopted.

Paragraph 10.3

27. Ms. BUSTELO said that neither the report of Working Group II nor that of Working Group III had mentioned the Special Rapporteur on Violence against Women. A new paragraph could be included in the last part of the Committee's report placing special emphasis on General Recommendation 19 of the Committee and the importance of information contained in reports examined by CEDAW on violence against women.

28. The CHAIRPERSON said she took it that the Committee agreed to the inclusion of a new paragraph on the Special Rapporteur on Violence against Women. Paragraph 10.3 would therefore be set aside pending submission of a redraft.

29. It was so decided.

30. Paragraphs 10.4 to 10.4.3 were adopted.

Paragraph 11

31. Mr. MATHIASON (Deputy Director, Division for the Advancement of Women) said that the following heading should be inserted just above paragraph 11:

"(e) World Summit for Social Development".

32. Paragraph 11 was adopted.

Paragraph 12

33. Ms. SCHÖPP-SCHILLING proposed the addition after the third sentence of paragraph 12, of the following text: "International agencies developing and imposing structural adjustment programmes, and governments having to implement these programmes, need to pay attention to this fact and to formulate differentiated measures to alleviate the impact of such structural programmes on women and children".

34. Ms. AOUIJ suggested that "and international financial institutions" be added after "international agencies".

35. Paragraph 12, as orally amended, was adopted.

Paragraph 13

36. Ms. GARCIA-PRINCE, speaking as Chairperson of Working Group II, said that paragraph 13 should be deleted.

37. It was so decided.

Paragraph 14

38. Mr. MATHIASON (Deputy Director, Division for the Advancement of Women) pointed out that the Committee's standing with regard to the World Summit on Social Development was different from its standing with regard to the Fourth World Conference on Women. In the latter case, the Committee had been invited to participate in the Conference itself while the Summit was an intergovernmental meeting whose rules of procedure would not allow the Committee to participate and make statements.

39. Ms. GARCIA-PRINCE said that the Committee must find a way to transmit its views to international meetings dealing with problems vitally affecting women. Population, for example, was such a vital issue in that it dealt with the reproductive capacity of women and its demographic impact. Most United Nations bodies and other international organizations agreed that women were vital to economic and social development. The issue should be raised if need be at the next session of the General Assembly or in another appropriate forum. It was futile for the Committee to meet for three weeks every January merely to discuss reports while the whole world was discussing issues that constituted the essence of the CEDAW Convention.

40. Ms. BUSTELO said that she found it surprising that, given the link between human rights and development, the Committee could not find a way to contribute to the World Summit for Social Development. It was all the more important that it provide that input as the Summit would take place well before the Fourth World Conference on Women.

41. The CHAIRPERSON said that she had initiated contacts with the specialized agencies in order to explore possible sources of funding for participation by members in the International Conference on Population and Development, and would include the World Summit in her efforts.

42. Mr. MATHIASON (Deputy Director, Division for the Advancement of Women) said that the Office of Legal Affairs had informed him that, under the draft rules of procedure of the World Summit on Social Development, the Committee was not considered a "United Nations body"; therefore, it would not be able to participate with the same status it had enjoyed at the World Conference on Human Rights, where its full participation had been established in the rules of procedure.

43. Ms. GARCIA-PRINCE said that the Committee should explore all avenues to allow its participation, emphasizing its status as a body linked to all areas of women's affairs, including social development.

44. Paragraph 14 was adopted.

Paragraph 15

45. Mr. MATHIASON (Deputy Director, Division for the Advancement of Women) said that in paragraph 15, the Committee requested the Secretariat to arrange for the resources to ensure the participation of two members of the Committee in the preparatory meetings for the World Summit. Since the General Assembly had appropriated funds exclusively for members to attend the Committee session and for the chairperson to attend the meeting of persons chairing the human rights treaty bodies, attendance at any other meetings would require the inclusion of a statement of financial implications in the report.

46. Ms. GARCIA-PRINCE wondered whether it might be possible to draw on the budgetary allocations for the Fourth World Conference on Women in order to fund the Committee's participation.

47. Mr. MATHIASON (Deputy Director, Division for the Advancement of Women) said that funds had been appropriated only for the participation of the Committee in the Beijing Conference. The functions of the Committee, as set out in articles 17, 20 and 21 of the Convention, were to consider the reports of States parties, and to make suggestions and general recommendations. The Convention did not provide for any other functions; any change in the Committee's mandate would require a change in the Convention or its interpretation.

48. Ms. GARCIA-PRINCE said that the question of expanding the role of the Committee should be given high priority on the Committee's agenda for its next session. In order to permit its greater involvement in women's human rights issues, it must remove the barriers to an expanded role in the United Nations system.

49. Ms. BUSTELO suggested that paragraph 15 should be deleted.

50. Paragraph 15 was deleted.

Paragraph 16

51. Ms. BUSTELO suggested that in the second line of paragraph 16, "the working group" should be replaced by "CEDAW".

52. Ms. ILIC said that, although a great deal of work had gone into the elaboration of the suggestions contained in paragraph 16, they were not likely to be taken into account by the States parties, to whom they were ultimately addressed.

53. Ms. SINEGEORGIS said that, as a matter of principle, one body did not have the right to review and amend another body's document. The Committee should express those recommendations as its own viewpoint.

54. Ms. TALLAWY agreed that the Committee had no mandate to amend the document before the preparatory committee for the World Summit for Social Development. She proposed that paragraph 16 should be redrafted, focusing on the social aspects of the work of CEDAW. A request for representation at the World Summit and at the preparatory committee should be included; it was for the Secretary-General to find the necessary resources.

55. Ms. BUSTELO said that the Working Group had asked the Secretariat if representatives of the Committee could participate in preparatory work for the World Summit for Social Development. In the absence of a response, the Working Group had proceeded on the assumption that CEDAW representatives would be participating. While she would agree to remove specific references to individual paragraphs of the preparatory document, it would be useful to have the suggestions of the Working Group reflected in the Committee's report.

56. Ms. GURDULICH DE CORREA wished to know if there was any mechanism by which the Committee could propose changes to the text of document A/CONF.166/PC/6. For example, CEDAW had participated in the World Conference on Human Rights through its association with UNIFEM, and had been able to make recommendations regarding amendments to documents considered at the Conference on that basis.

57. Ms. TALLAWY said the recommendations in paragraph 16 of the working paper reflected a significant effort on the part of the Working Group and should not be deleted. However, in order to eliminate duplication of effort, she agreed that references to specific paragraphs in document A/CONF.166/PC/6 should be deleted and the Committee's recommendations should be grouped according to various themes. Also, she suggested that the Committee should consider questions relating to participation in international conferences well in advance of the Conference dates so that members of the Working Group would have enough time to weigh all of the implications. She suggested further that the Secretariat should provide assistance to the chairpersons of the working groups during their meetings.

58. Ms. CARTWRIGHT said the working paper had been prepared on the assumption that a single representative of CEDAW would be able to submit recommendations to the World Summit for Social Development. It had not been the intention of the Working Group to alter the report of the Preparatory Committee. With a view to providing input to the World Summit for Social Development, she suggested that the basic ideas contained in the recommendations could be retained in outline form. She offered to prepare such an outline.

59. Ms. SCHÖPP-SCHILLING said she regretted that references to fundamentalist movements and structural adjustment programmes had been linked in paragraph (k) of the working paper. In addition, fuller treatment should be given to the condition of women in the informal sector.

60. Ms. TALLAWY said the word "underdeveloped" should also be deleted from subsequent drafts of the paper.

61. The CHAIRPERSON said she regretted that additional Secretariat technical services had not been available to assist the working groups in the drafting of their reports. In order to provide better advice to the working groups, particularly on legal questions, she intended to notify the Secretary-General of the Fourth World Conference on Women of the Committee's difficulties before the fourteenth session of the Committee.

62. Ms. BUSTELO suggested that a new paragraph urging States to include information in their periodic reports concerning compliance with General Recommendation 19 should be inserted following paragraph 10.3.

63. Ms. FORDE expressed the hope that the Committee would keep in mind the legal scope of the Convention when planning its future work.

64. Ms. SCHÖPP-SCHILLING said that, on the basis of reports submitted to the Committee, the question of structural adjustment programmes and their impact on the status of women in a number of countries was becoming increasingly important. With that in mind, she suggested that the Committee should request from the Secretariat an analysis of structural adjustment programmes to which the Committee could refer when evaluating information submitted by States parties that made reference to those programmes. The analysis could contain information on specific provisions of structural adjustment programmes and could examine the possibility of implementing them in such a manner as to avoid a disproportionate adverse impact on women.

65. Mr. MATHIASON (Deputy Director, Division for the Advancement of Women) said that the Committee had already requested a pre-session document containing an analysis of article 2 of the Convention. If the Committee wished, he could set aside the document on article 2 and prepare an analysis on structural adjustment programmes. However, there was always the possibility that the additional workload involved in preparing two documents might result in a product of lesser quality.

66. The CHAIRPERSON said she took it that the Committee wished to adopt the report of Working Group II contained in document CEDAW/C/1994/WG.II/WP.4.

67. It was so decided.

The meeting rose at 1.10 p.m.